Question No: 84

Hansard Ref: ECA 58

Topic: Signal Coverage Checks

Senator Fisher asked:

Where are the areas of signal strength deficiency?

Answer:

Areas of signal strength deficiency are those parts of a terrestrial television licence area that are outside the coverage area of the transmitter or transmitters serving that licence area. Signal strength declines with distance from the transmitter and can be otherwise degraded by physical impediments (terrain, buildings) or by interference from other services.

A complete list of licensed broadcasting transmitters, by area, channel and call sign, is published on the ACMA's website. This includes analog black-spot sites as well as all the terrestrial transmission sites of the commercial or national broadcasters. A guide to the television services that are licensed to serve within each postcode area is at: http://www.acma.gov.au/postcode/postcode_acma.shtml.

The Department of Broadband, Communication and the Digital Economy tables a report to Parliament, Report on digital television transmission and reception, on the first sitting day of each House of the Parliament after 1 January, 1 April, 1 July and 1 October until 1 September 2014. The report gives information on the progress by commercial and national broadcasters to meet their obligations to achieve the equivalent coverage and reception quality in digital as in analog. The report also identifies a number of likely digital transmission blackspots. The report is available on the department website at: http://www.dbcde.gov.au/television/digital_televison_switchover/reports_on_digital_television_transmission_and_reception

Coverage area information for each transmitter is not currently available on the ACMA's website but can be made available on request. Detailed information on coverage is expected to be made available shortly via an interactive tool on the Government's website at www.digitalready.gov.au. The coverage information in this tool will be based on the best available ACMA coverage data.

Question No: 85

Hansard Ref: ECA 61

Topic: Free to air broadcasters – Australian content

Senator Cormann asked:

Have any of the free-to-air television networks ever fallen below the 55 per cent Australian content requirement over the past decade?

Answer:

No. Compliance data for the metropolitan free-to-air television networks is published in the ACMA's compliance reports, available from the ACMA's website at http://www.acma.gov.au/WEB/STANDARD/pc=PC_100662.

Question No: 86

Hansard Ref: ECA 64 and 65

Topic: Do Not Call Register

Senator Fisher asked:

What resources did ACMA divert to the planned extension of the Do Not Call Register between August 2008 and the planned extension's scrapping in April 2009? What was the nature of the resources? Were there any people?

Answer:

The ACMA estimates that total expenditure incurred in 2009/10 relating to the expansion of the Register will be $0.466m.

Three staff members were engaged to plan for the expansion of the Register and manage the associated changes required. Their roles covered project planning and delivery as well as compliance and industry education activities. Staff investigated and consulted on the proposed expansion to scope out the required changes to the:

- contract with the service provider;
- existing operational systems;
- subordinate legislation;
- industry standards (both fax and telemarketing); and
- complaints management system.

In addition, an industry classification model (now not required) and an education program were developed.

Following passage of the Do Not Call Register amendment bill on 13 May 2010, these staff members facilitated the implementation of extension of the Register to cover fax marketing, and emergency services and Government numbers.

In 2010-11, the ACMA will continue to implement operational changes to the Register to complete the expansion of the Register. This will include implementing real time washing, expanding reporting requirements, resolving WEB interface issues, form development, developing a fax marketing industry standard, and reviewing the telemarketing industry standard.

Question No: 87

Hansard Ref: ECA 68

Topic: Complaints about online content

Senator Xenophon asked:

In terms of complaints that you have had, say, in the past 12 months, what volume of complaints do you get and under what circumstances do you act in relation to those complaints?

Answer:

In 2008-09 the ACMA received 1182 complaints about 2266 individual items of content, and took action on 1363 of those items. In the 2009-2010 year, as at 31 May 2010, the ACMA had received 2892 complaints about 3441 individual items and taken action with regard to 1767 of those items.

The ACMA must investigate all valid complaints about online content and take action in relation to content that is 'prohibited content'. Under clause 37 of Schedule 7 to the *Broadcasting Services Act 1992* (BSA)*,* a valid complaint must identify the content concerned, set out a URL or other access instructions, and contain the complainant's reasons for believing that the content is prohibited content.

Prohibited content is defined in Schedule 7 to the BSA with reference to the National Classification Scheme established under the *Classification (Publications, Films and Computer Games) Act 1995*, and includes:

- Any online content that is classified Refused Classification or X18+ by the Classification Board. This includes real depictions of actual sexual activity, depictions of bestiality, material containing excessive violence or sexual violence, detailed instruction in crime, violence or drug use, and/or material that advocates the doing of a terrorist act. It also includes child pornography, sometimes referred to as child sexual abuse material.

- Content which is classified R18+ and not subject to a restricted access system that prevents access by children. This includes depictions of simulated sexual activity, material containing strong, realistic violence and other material dealing with intense adult themes.

- Content which is classified MA15+, provided by a mobile premium service or upon payment of a fee, and that is not subject to a restricted access system. This includes material containing strong depictions of nudity, implied sexual activity, drug use or violence, very frequent or very strong coarse language, and other material that is strong in impact.

Content that has not been classified, but which the ACMA is satisfied would be prohibited content if it were classified, is dealt with as 'potential prohibited content' in accordance with clause 21 of Schedule 7 to the BSA.

Question No: 88

Hansard Ref: ECA 70

Topic: Websites listed on the Blacklist

Senator Ludlam asked:

Of the 435 URLs mentioned are you able to tell us how many are sites, rather than how many URLs or how many items?

Answer:

At 30 April 2010, the ACMA's list of URLs maintained pursuant to the requirements of Schedule 5 to the *Broadcasting Services Act 1992* contained 435 individual URLs relating to online child sexual abuse material. These URLs belonged to 338 different internet domains or sites.

Question No: 89

Hansard Ref: ECA 72

Topic: URLs listed on the Blacklist

Senator Ludlam asked:

How long are the URLs listed on the Blacklist actually there for – are we looking at a complete turnover roughly on a weekly or monthly cycle whether some of this stuff is resident for years?

Answer:

All URLs on the list are reviewed quarterly to check whether they are still pointing to prohibited or potential prohibited content.

One hundred and fifty-seven URLs relating to prohibited or potential prohibited content on the 30 November 2009 list were removed from the 30 April 2010 list, as they no longer pointed to prohibited content or potential prohibited content.

Research conducted by the Internet Watch Foundation, which operates the United Kingdom hotline for complaints about illegal internet content, indicates that most images depicting child sexual abuse are taken down within two months of identification. It is not known how long these existed before identification.

The ACMA is developing systems that will allow for more regular, partially automated monitoring of URLs on the list. These systems will help to ensure that URLs on the list that no longer provide access to prohibited content (most likely because the content has been taken down or its address has been shifted) can be more quickly identified and removed from the list provided to filter vendors.

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Following investigation of a complaint, if the ACMA determines that prohibited content (or potential prohibited content) is hosted in Australia, it must direct the relevant host to take-down the content. Action is taken in relation to an individual page, image or other file, rather than an entire website.

In the case of content hosted outside Australia, a registered code of practice for internet service providers requires them to make available to their subscribers, at cost price or less, a filter product that has been tested and accredited by the Internet Industry Association. The ACMA notifies the URLs of overseas-hosted prohibited content and potential prohibited content to the providers of these filters, who update their products to block access to the content. Each URL represents an individual page or image, not an entire website. The aggregated list of these notifications is commonly referred to as 'the ACMA blacklist'. The ACMA periodically removes from the list URLs which are no longer active or which no longer provide access to prohibited content.

Regardless of where it is hosted, online content that depicts or describes child sexual abuse is referred to the relevant law enforcement agency. Content hosted in Australia is referred to the relevant State or Territory police force. Content hosted outside Australia is referred to the relevant law enforcement agency in the country concerned, via either the Australian Federal Police or the relevant member of the International Association of Internet Hotlines.

Question No: 90

Hansard Ref: ECA 72

Topic: Online counselling resource – Cybersmart Website

Senator Wortley asked:

Do we have any statistics on the use of the online counselling resource for children?

Answer:

The ACMA is not able to provide exact statistics on the number of people using the Cybersmart Online Helpline. However, the referral pattern from the Cybersmart website to the Kids Helpline online counselling service (the providers of the Cybersmart service) indicates that there has been a good level of take–up.

Statistics kept from October – December 2009 and January – March 2010 indicate that the Cybersmart site is 7th highest referral site through to the Kids Helpline website, with 202 and 204 referrals in these quarters. Websites with higher referral rates tend to be well established sites with a focus on mental health issues. Given the Cybersmart site has been live only since July 2009, and has a broad cybersafety focus, this is an encouraging result.

Kids Helpline has also reported increased interest in topics associated with online safety (such as cyberbullying) on its site, possibly reflecting increased traffic from the Cybersmart site.

Direct tracking of up-take is not possible because users of the counselling service tend not to go direct from a referral site (such as the Cybersmart site) into a counselling session. Generally, young people seeking access to counselling will take time to establish the credentials of the service, or they may return to the service when they have decided to commit to seeking counselling. This means the direct link from the Cybersmart website is lost.

Question No: 91

Hansard Ref: In Writing

Topic: Portfolio Staffing - ACMA

Senator Barnett asked:

a) How many permanent staff recruited since additional estimates (Feb 2010)?
b) What level are these staff?
c) How many temporary positions exist or have been created since additional estimates?
d) Since additional estimates, how many employees have been employed on contract and what is the average length of their employment period?

Answer:

a) 26 permanent (ongoing) staff recruited in period 8/2/10 to 24/5/10 inclusive
b)

Classification	*No*
ACMA 3	1
ACMA 4	2
ACMA 5	1
ACMA 6	10
EL 1	8
El 2	4
Total	26

c) 31 temporary (non-ongoing) positions currently filled and 11 in the process of being filled (advertised)
d) 13 temporary (non-ongoing) employees employed for an average of 6.8 months

Question No: 92

Hansard Ref: In Writing

Topic: Portfolio Staffing (efficiency dividend/budget cuts) - ACMA

Senator Barnett asked:

a) Have staffing numbers been reduced as a result of the efficiency dividend and/or other budget cuts?
   - Since the efficiency dividend was introduced?
   - Since additional estimates?
b) If so, where and at what level?
c) Are there any plans for staff reduction? If so, please advise details ie. reduction target, how this will be achieved, services/programs to be cut etc.

   If your Department/agency has been identified in the budget as delivering further efficiencies (savings), how will these be delivered? (for example, if the budget papers say 'improvement to strategic work practices' or similar, what are these and how will they be delivered?

d) What changes are underway or planned for graduate recruitment, cadetships or similar programs? If reductions or increases are envisaged please explain including reasons, target numbers etc.

Answer:

a) No
b) Not Applicable
c) No
d) No changes

Question No: 93

Hansard Ref: In Writing

Topic: Government advertising - ACMA

Senator Barnett asked:

What communications programs has the Department/Agency undertaken since additional estimates and what communications programs are planned to be undertaken?

For each program, what is the total spend?

(by 'communications program' it is meant communication of a government message to the public – possibly by advertising (print, television etc), possibly through the erection of signs, plaques etc, or through other mediums. The recent (current) Government TV advertising campaign on health reform and specific health initiatives are examples, BER signage is an example, advertising on the Government's proposed new tax system would be another example.)

A breakdown of how much was spent/is planned to be spent on each program/initiative should be provided.

Answer:

The ACMA undertakes a range of information and education activities, however, the only communications program that has been undertaken relates to the Do Not Call Register (the Register) to raise awareness of the need to re register expiring numbers.

Expenditure in the 2009/10 financial year for the Registers' communications program will be approximately $25,000.

Question No: 94

Hansard Ref: In Writing

Topic: Government Payment of Accounts – ACMA

Senator Barnett asked:

Has the portfolio/agency paid its accounts to contractors/consultants etc in accordance with Government policy in terms of time for payment (ie. within 30 days)? If not, why not, and what has been the timeframe for payment of accounts? Please provide a breakdown, average statistics etc as appropriate to give insight into how this issue is being approached.)

For accounts not paid within 30 days, is interest being paid on overdue amounts and if so how much has been paid by the portfolio/department agency for the current financial year and the previous financial year?

Where interest is being paid, what rate of interest is being paid and how is this rate determined?

Answer:

a) The ACMA has an automated payment process which is set to make payments to service providers, including contractors and consultants, on or before payment due dates. The following table provides statistics over the previous three months:

Period	Compliance Rate	Total amount paid to small businesses	Value of invoices not paid within 30 days
May 2010	99.9%	$210,533	$17
April 2010	100.0%	$163,902	-
March 2010	99.9%	$257,646	$231

b) For both the previous and the current financial years, the ACMA has not paid any interest on overdue amounts to small businesses. These incidents were uncommon and the payees had not requested interest from the ACMA.

c) Not Applicable.